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ONE HUNDRED SEVENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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June 13, 2002

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The Honorable John D. Ashcroft
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

Dear Attorney General Ashcroft:

As the Chairman and Ranking Member of the House Committee on the Judiciary, it is our responsibility to conduct oversight of the Department of Justice's implementation of the USA PATRIOT Act ("Act"), signed into law by President Bush on October 26, 2001. The Act gave the government new investigative tools to combat new terrorist threats against the United States made all too evident by the attacks of September 11, 2001.

The Committee is interested in hearing from you and FBI Director Robert F. Mueller concerning the Department of Justice's use of these new tools and their effectiveness. In light of the broad scope of the Act, we are initially seeking written responses to the following questions, and we plan to schedule a hearing in the near future to allow further public discussion of these and other issues relating to the Department of Justice's activity in investigating terrorists or potential terrorist attacks.

Unless otherwise indicated, please provide data to the Committee current through May 31, 2002. In addition, if any answer requires the disclosure of classified material, please provide those answers under separate cover to the Committee in accordance with appropriate security procedures.

Please respond to the following questions:

1. Section 103 of the Act authorizes funding for the FBI Technical Support Center originally authorized by section 811 of the Antiterrorism and Effective Death Penalty Act of 1996 (Pub. L. No. 104-132). What is the status of the Technical Support Center and what plans are in place or being developed to establish the FBI Technical Support Center?

2. Section 106 of the Act authorizes the President to confiscate property of foreign persons, organizations, or countries involved in armed hostilities. According to press reports, the President has ordered on several occasions the confiscation of property pursuant to that section. How often and under what circumstances has the President exercised that authority? Has the President's exercise of that authority been challenged in court? If so, please identify the case(s) and provide the status of any proceeding involving the exercise of that authority?
3. Section 203 of the Act authorizes disclosure of grand jury information consisting of certain foreign intelligence or counterintelligence information to (A) other federal law enforcement officials; (B) intelligence officials; (C) protective officials; (D) immigration officials; (E) national defense officials; or (F) national security officials pursuant to Fed.R.Crim.P. 6(e)(3)(C)(i)(V).
 - A. How many times has the Department of Justice made such disclosures?
 - B. For each disclosure, indicate whether the information related to a matter involving foreign intelligence or counterintelligence (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. §401a)) or foreign intelligence information (as defined in Rule 6(e)(3)(C)(iv)).
 - C. How many separate grand juries were the source of such information?
4. Section 203 of the Act also requires that the court supervising a grand jury be notified within a reasonable time when certain foreign intelligence or counterintelligence information is disclosed pursuant to that section. How many notices have been filed with U.S. courts pursuant to this requirement? What has been the average time period between the disclosure and the notice to the court? What has been the longest time period? What has been the shortest time period?
5. Section 203(b) authorizes disclosure of Title III electronic, wire, and oral intercept information consisting of certain foreign intelligence or counterintelligence information to (1) Federal law enforcement; (2) intelligence officials; (3) protective officials; (4) immigration officials; (5) national defense officials; or (6) national security officials. How many times has the Department of Justice made such disclosures under this authority?
6. Section 203(c) of the Act requires the Attorney General to establish procedures for disclosures to the court of grand jury foreign intelligence or counterintelligence information and electronic wire and oral intercept information that identifies an American

citizen or a permanent resident alien. Have those procedures been established? Please provide a copy of them to the Committee.

7. Section 203(d) of the Act authorizes the disclosure of certain foreign intelligence or counterintelligence or foreign intelligence information to (1) Federal law enforcement; (2) intelligence officials; (3) protective officials; (4) immigration officials; (5) national defense officials; or (6) national security officials. How many times has the Department of Justice disclosed such information?
8. Section 206 of the Act authorizes the FISA court to issue an order that can be used to obtain assistance and information from any common carrier, landlord, or custodian when the court finds that the target of the surveillance may take actions that "may have the effect of thwarting the identification of a specified person" to assist in effectuating a FISA order. How many times has the Department of Justice obtained such "roving" orders
9. Section 212 of the Act authorizes any electronic communications service provider to disclose communications if it reasonably believes that an emergency involving immediate danger of death or physical injury to any person requires disclosure. How many times has the Department of Justice received information under this authority? In how many of those cases did the government, not a private person, submit the information suggesting immediate danger of death or physical injury?
10. Section 214 authorizes the Department of Justice to obtain orders authorizing the use on facilities used by American citizens and permanent resident aliens of pen registers and trap and trace devices in foreign intelligence investigations. How many times has the Department of Justice obtained orders for use on facilities used by American citizens or permanent resident aliens? What procedures are in place to ensure that such orders are not sought solely on the basis of activities protected by the First Amendment to the U.S. Constitution?
11. How many applications and orders, pursuant to Section 215 of the Act, have been made or obtained for tangible objects in any investigation to protect the United States from international terrorism or clandestine intelligence activities? What procedures are in place to ensure that such orders are not sought solely on the basis of activities protected by the First Amendment to the U.S. Constitution? How many total applications have been made and of those, how many applications were made by FBI Assistant Special Agents in Charge, rather than a higher ranking official? How many orders have been issued upon the application of FBI Assistant Special Agents in Charge?
12. Has Section 215 been used to obtain records from a public library, bookstore, or newspaper? If so, how many times has Section 215 been used in this way? How many

times have the records sought related to named individuals? How many times have the records sought been entire databases? Is the decision to seek orders for bookstore, library, or newspaper records subject to any special policies or procedures such as requiring supervisory approval or requiring a determination that the information is essential to an investigation and could not be obtained through any other means?

13. How many roving pen register and trap and trace orders have been issued under section 216 of the Act? How many "Armey" notices, reporting on the details of the installation of roving pen registers or trap and trace devices, have been filed with U.S. courts pursuant section 216 of the Act? How many "Armey" notices were related to a terrorism investigation?
14. Since enactment of the Act, how many FISA surveillance order applications certifying under section 218 of the Act that "a significant purpose" of the surveillance was the collection of foreign intelligence information could not have certified, pursuant to prior law, that "the purpose" was the collection of foreign intelligence information?
15. How many U.S. citizens or lawful permanent residents have been subject to new FISA surveillance orders since enactment of the Act? How many U.S. citizens or lawful permanent residents were subject to such orders during the same period in the prior fiscal year?
16. How many single-jurisdiction search warrants have been issued pursuant to Rule 41(a)(3) of the Federal Rules of Criminal Procedure as amended by section 219 of the Act?
17. How many search warrants for electronic evidence have been served under section 220 of the Act in a jurisdiction other than the jurisdiction of the court issuing the warrant?
18. Have any claims been filed against the United States or has any official of the Department of Justice been sued or disciplined administratively pursuant to section 223 of the Act for violations of Title III, chapter 121, or FISA?
19. Has the sunset provision in section 224 of the Act hampered the DOJ in its efforts against terrorism or any other criminal or intelligence investigation?
20. Have sections 205 (relating to employment of translators by the FBI), 908 (relating to training government officials regarding identification and use of foreign intelligence), 1001 (relating to certain duties of the Inspector General of the Department of Justice), 1005 (relating to assisting first responders), 1007 (relating to DEA Police Training in Southeast Asia), 1008 (relating to a study of biometric identifiers), 1009 (relating to study of access) of the Act been implemented? If so, please provide an explanation of the steps

that have been taken to implement these provisions and the results. If these provisions have not been implemented, please explain why they have not been utilized?

21. Please explain how the amendments made by sections 207, 214, 215, and 218, of the Act and section 314 of the Intelligence Authorization Act for Fiscal Year 2002 (Pub. L. No. 107-108) have helped intelligence investigations both operationally and administratively?
22. Section 211 of the Act was intended to clarify what information cable companies could disclose to law enforcement authorities. How has this provision operated in practice?
23. Have sections 310 and 313 of the Intelligence Authorization Act for Fiscal Year 2002 (Pub. L. No. 107-108) been complied with and if not, why not?
24. FBI Director Mueller, in an April 19, 2002 speech before the Commonwealth Club of California, stated that the FBI's investigation, among other things, "ha[s] helped prevent more terrorist attacks." The Committee is extremely interested in learning about terrorist attacks that have been prevented and cooperation with our partners both at home and abroad. Therefore, please advise the Committee as to how many terrorist attacks have been prevented since September 11, 2001, how (in general terms without divulging classified sources and methods) were they prevented, and where were these terrorist attacks planned to have taken place? Please describe what authorities in the Act were used and how they helped to prevent these attacks.
25. Were any authorities in the Act used in the investigations of Zacarias Moussaoui, John Walker Lindh, Richard Reid, Jose Padillo, and Abu Zubaydah? If so, which authorities were used and, without compromising evidence in pending cases or sources or methods, what leads or evidence did they produce?
26. Some public officials have complained that shortly after the September 11 attacks, the Department of Justice improperly detained hundreds of potential suspects and kept their names secret from the public. What authorities, if any, under the Act were used to detain these individuals and keep their names secret? If no authorities under the Act were used, please explain on what authority these individuals were detained and their names kept secret?
27. How many FISA applications for "roving" surveillance authority and how many FISA applications for "roving" search authority have been approved since enactment of the Act? How many surveillances and how many searches have been conducted pursuant to those approved applications?

28. The Department of Justice promulgated regulations that permitted in certain cases listening to conversations between prisoners and their lawyers. What authority, if any, under the Act was used to promulgate that regulation? If no authority under the Act was used, please explain the authority used to promulgate the regulation.
29. Section 401 authorizes the Attorney General to “waive any FTE cap on personnel assigned to the Immigration and Naturalization Service (INS) on the Northern Border.”
 - A. How many Border Patrol Agents have been assigned or reassigned to the Northern Border under the authority conveyed by this provision?
 - B. How many Inspectors have been assigned or reassigned to the Northern Border under the authority conveyed by this provision?
 - C. How much do you estimate that this provision has cost?
30. Section 402 authorizes appropriations to triple the number of INS Border Patrol Agents and Inspectors in each state along the Northern Border, and also authorizes appropriations to provide necessary personnel and facilities to support such personnel.
 - A. What steps has the INS taken to hire additional Inspectors at the Ports of Entry along the Northern Border?
 - B. Has the INS been actively recruiting additional Inspectors for the Northern Border?
 - C. Has the INS reassigned other Inspectors from the other Ports of Entry to the Northern Border Ports? If so, how many Inspectors has it reassigned, and what has it done to replace those Inspectors?
 - D. Has the INS needed to expand its training capacity to accommodate additional Inspectors? If so, what has it done, and what has this cost?
 - E. What steps has the INS taken to hire additional Border Patrol Agents to serve along the Northern Border?
 - i. Has the INS been actively recruiting additional Border Patrol Agents for the Northern Border?

- ii. Has the INS reassigned other Border Patrol Agents from elsewhere in the United States to the Northern Border? If so, how many agents has it had to reassign, and what has it done to replace those Border Patrol Agents?
 - iii. Has the INS needed to expand its training capacity to accommodate additional Border Patrol Agents? If so, what has it done to expand training capacity, and what has this cost?
- 31. Section 402 also authorizes the appropriation of \$50,000,000 to the INS and the U.S. Customs Service to make improvements in technology for monitoring the Northern Border and acquiring additional equipment for the Northern Border.
 - A. What improvements in technology has the INS undertaken along the Northern Border using the appropriation in section 402 of the Act? Has the INS seen any improvement in its ability to monitor the Northern Border as a result of undertaking those improvements?
 - B. What additional equipment has the INS acquired for use at the Northern Border under the authority conveyed by section 402 of the Act? Has the INS seen any improvement in its ability to monitor the Northern Border as a result of adding that equipment?
- 32. Section 403 requires the Attorney General and the Director of the Federal Bureau of Investigation (FBI) to provide the State Department and the INS access to criminal history record information contained in the National Crime Information Center's Interstate Identification Index (NCIC-III), Wanted Persons File, as well as to any other files maintained by the NCIC that may be mutually agreed upon by the Attorney General and the agency receiving the access, for the purpose of determining whether or not a visa applicant or an applicant for admission has a criminal history record indexed in any such file. Access is to be provided by placing extracts of the records in the automated visa lookout or other appropriate database. In order to obtain access to full records, the requesting entity must submit fingerprints and a fingerprint processing fee to the FBI.
 - A. What steps have been taken by the Department of Justice to implement this section?
 - B. What has been the cost of implementing this provision?
 - C. Has the Department of Justice agreed to provide access to other files maintained by NCIC to either the INS or State Department? If so, which files, and to which entity have you provided access?

- D. Have any applicants seeking admission or seeking visas who have criminal histories been identified under this provision thus far? If yes, how many? How many of those aliens would not have been identified in the visa or admission application process if access to NCIC-III had not been provided to the identifying entity?
33. Section 404 waives the overtime cap on INS employees in the Department of Justice Appropriations Act, 2001 (as enacted into law by Appendix B (H.R. 5548) of Public Law 106-553 (114 Stat. 2762A-58 to 2762A-59)) of \$30,000 per employee per calendar year.
- A. Do you anticipate that any INS employees will be paid more than \$30,000 in overtime this fiscal year?
 - B. If so, how many INS employees do you anticipate will be paid more than \$30,000 in overtime this calendar year?
 - C. How much do you anticipate that this provision will cost this fiscal year?
34. Section 405 requires the Attorney General, in consultation with the Secretaries of State, the Treasury, and Transportation, as well as other appropriate agency heads to report to Congress on the feasibility of enhancing the FBI's Integrated Automated Fingerprint Identification System (IAFIS) and other identification systems to better identify aliens wanted in connection with criminal investigations in the United States or abroad, before those aliens are issued visas or are admitted to or allowed to leave the United States. The section authorizes an appropriation of \$2,000,000 for this purpose.
- A. Has the Justice Department started to evaluate the feasibility of using IAFIS and other databases to identify aliens wanted on criminal charges?
 - B. What steps has the Justice Department taken in response to this provision?
 - C. Is the Justice Department devising a comprehensive database to identify criminal aliens before they enter the United States? If so, what barriers do you anticipate Justice will encounter in achieving this goal?

Subtitle B of Title IV of the Act, captioned "Enhanced Immigration Provisions," amends the terrorism provisions of the Immigration and Nationality Act (INA), gives the Attorney General additional authority to detain certain suspected alien terrorists, and improves systems for tracking aliens entering and leaving the United States and for inspecting aliens seeking to enter the United States.

35. Section 411 amends the INA to broaden the scope of aliens ineligible for admission or deportable due to terrorist activities. This section also defines "terrorist organization" and the term "engage in terrorist activity."
- A. Has the INS relied upon the definitions provided under section 411 to file any new charges against any aliens in removal proceedings? If so, how many times has it used each provision?
 - B. Has any alien been denied admission on these new grounds of inadmissibility? If so, how many?
 - C. What effect have the amendments to the INA in section 411 of the Act had on ongoing investigations in the United States?
 - D. As amended by section 411 of the Act, section 212(a)(3)(B)(i)(VI) of the INA renders inadmissible any alien who has used his position of prominence within any country to endorse or espouse terrorist activity or to persuade others to support terrorist activity or a terrorist organization, in a way that the Secretary of State has determined undermines United States efforts to reduce or eliminate terrorist activities. Has the Secretary of State made such a determination under this provision?
 - E. Section 212(a)(3)(F) of the INA, as amended by section 411 of the Act, renders inadmissible any alien who the Attorney General determines has been associated with a terrorist organization and intends while in the United States to engage solely, principally, or incidentally in activities endangering the United States. Has the Attorney General made such a determination with respect to any alien thus far?
 - F. Have there been any challenges to the constitutionality of the charges added to the INA by section 411 of the Act? If so, please identify the case(s) and the status of any proceeding.
36. Section 412 of the Act (1) provides for mandatory detention of an alien certified by the Attorney General as a suspected terrorist or threat to national security; (2) requires release of such alien after seven days if removal proceedings have not commenced, or if the alien has not been charged with a criminal offense; (3) authorizes detention for additional periods of up to six months of an alien not likely to be deported in the reasonably foreseeable future if release will threaten our national security or the safety of the community or any person; and (4) limits judicial review to habeas corpus proceedings in

the U.S. Supreme Court, the U.S. Court of Appeals for the District of Columbia, or any district court with jurisdiction to entertain a habeas corpus petition; and (5) limits the venue of appeal of any final order by a circuit or district judge under section 236A of the INA to the U.S. Court of Appeals for the District of Columbia.

- A. How many times has the Attorney General issued a certification under section 236A(a)(3) of the INA?
 - B. If the Attorney General has issued certifications under this provision, how many of the aliens for whom certifications have been issued have been removed?
 - C. How many aliens for whom the Attorney General issued certifications are still detained? At what stage of the criminal or immigration proceedings are each of those cases?
 - D. What were the grounds for those certifications?
 - E. How many of the aliens who were certified have been granted relief? How many of those aliens are still detained?
 - F. Have any challenges to certifications under section 236A(a)(3) of the INA been brought in habeas corpus proceedings in accordance with section 236A(b)? If so, please identify the case(s) and the status of each proceeding?
 - G. Has the Attorney General released any aliens detained under section 236A of the INA because the alien was not charged with a criminal offense or placed into removal proceedings within seven days?
37. Section 413 authorizes the Secretary of State, to share, on a reciprocal basis, criminal- and terrorist-related visa lookout information in the State Department's databases with foreign governments.
- A. Has the authority provided under section 413 been used?
 - B. If that authority has been used, has it uncovered relevant and material information on any pending or ongoing immigration matters? Has that authority led to the discovery of relevant and material information on suspected activity?
38. Section 414 of the Act declares the sense of Congress that the Attorney General should: (1) fully implement the integrated entry and exit data system for airports, seaports, and land border ports of entry with all deliberate speed; and (2) begin immediately

establishing the Integrated Entry and Exit Data System Task Force. It also authorizes appropriations for these purposes, and requires the Attorney General and the Secretary of State, in developing the integrated entry and exit data system, to focus on the use of biometric technology and the development of tamper-resistant documents readable at ports of entry.

- A. What steps has the Department of Justice taken to implement the integrated entry and exit data system for airports, seaports, and land border ports of entry?
 - B. How soon does the Justice Department think that the integrated entry and exit data system for airports, seaports, and land border ports of entry will be implemented? Will it be implemented for air-, land-, and seaports at the same time, or will it be implemented sequentially?
 - C. How much will it cost to implement an integrated entry and exit data system for airports, seaports, and land border ports of entry?
 - D. How many meetings has the Entry and Exit Data System Task Force held since the enactment of the Act?
 - E. What was the agenda of those meetings and what has been the outcome of those meetings?
39. Section 415 amends the Immigration and Naturalization Service Data Management Improvement Act of 2000 to include the Office of Homeland Security in the Integrated Entry and Exit Data System Task Force. Has this been accomplished?
40. Section 416 of the Act directs the Attorney General to implement fully the foreign student monitoring program, and to expand that program to include other approved educational institutions like flight, language training, or vocational schools. In addition, that section authorizes appropriation of \$36,800,000 to carry out the purposes of the section.
- A. What steps has the Justice Department taken to implement the foreign student monitoring program, in accordance with section 416 of the Act?
 - B. How soon will the foreign student monitoring program be fully implemented?
 - C. How much do you estimate it will cost to fully implement the foreign student monitoring program?
 - D. Prior to full implementation of the program, how will the Justice Department

monitor student compliance with the requirements of their student visas? Does the Department of Justice have the resources to take action against aliens who violate their student status in the United States? Since the date of enactment of the Act, how many removal proceedings have been initiated against foreign students who have violated the terms of their visas?

41. Section 417 of the Act requires the Secretary of State to perform audits and submit to Congress reports on implementation of the requirement that visa waiver countries under section 217 of the INA issue their citizens machine-readable passports. It also advances the date by which aliens are seeking admission under the visa-waiver program are required to present machine-readable passports from October 1, 2007 to October 1, 2003. A waiver is provided to this requirement for nationals of countries that the Secretary of State finds (1) are making progress toward providing machine-readable passports and (2) have taken appropriate measures to protect their non-machine-readable passports against misuse. Has the Justice Department been working with the Secretary of State in fulfilling his responsibilities under section 417 of the Act? If so, please describe the actions the Justice Department is taking to work with the Secretary of State.
42. Section 418 of the Act directs the Secretary of State to review how consular officers issue visas to determine if consular shopping is a problem. Has the Justice Department been working with the State Department in completing this review? If so, please describe the actions the Justice Department is taking to work with the Secretary of State.
43. Subtitle C of the Title IV of the Act generally authorizes the Attorney General to preserve immigration benefits for those aliens who would otherwise have lost eligibility for those benefits due to the terrorist attacks on September 11, 2001.
 - A. How many applications for special immigrant status from principal aliens under section 421 of the Act has the INS received since that provision was enacted?
 - B. How many applications for special immigrant status filed by spouses and children of principal aliens under section 421 of the Act has the INS received since that provision was enacted?
 - C. How many applications for special immigrant status filed by grandparents of orphans under section 421 of the Act has the INS received since that provision was enacted?
 - D. How many aliens does the Justice Department anticipate will be eligible for benefits under section 421?

- E. Describe the process that the INS is using to adjudicate and to investigate applications for special immigrant status under section 421 of the Act.
 - F. Has the INS determined that any of the applications filed under section 421 of the Act were fraudulent? If so, how many applications were determined to be fraudulent?
44. Section 422 of the Act states that an alien who was legally in a nonimmigrant status and was disabled as a direct result of the September 11 attacks may remain in the United States until his or her normal status termination date or September 11, 2002. That section includes in such extension of status the spouse or child of such an alien or of an alien who was killed in those attacks, and authorizes employment during the period of that status. It also extends specified immigration-related deadlines and other filing requirements for aliens (and spouses and children) who were directly prevented from meeting such requirements as a result of the September attacks respecting: (1) nonimmigrant status and status revision; (2) diversity immigrants; (3) immigrant visas; (4) parolees; and (5) voluntary departure.
- A. Describe the process that the INS is using to evaluate applications for extension of nonimmigrant status under section 422(a) of the Act.
 - i. How many aliens have applied for extensions under that section?
 - ii. Is the INS investigating the veracity of those applications? Describe the steps that the INS is taking to investigate those applications.
 - iii. Has the INS identified any fraud in connection with those applications? If so, how many were believed to be fraudulent?
 - B. How many aliens have applied for extension of the filing deadline for extension or change of nonimmigrant status under section 422(b)(1) of the Act?
 - i. Describe the process for extending those deadlines.
 - ii. Describe the steps that the INS is taking to assess the veracity of applications to extend those deadlines.
 - iii. Has the INS identified any fraud in connection with those applications? If so, how many applications were believed to be fraudulent?

- C. How many departure delays under section 422 of the Act has the Justice Department seen since the implementation of that act?
 - D. Has the INS received any applications from aliens who were unable to return to the United States and apply for extensions of nonimmigrant status in a timely manner because of the September 11 terrorist attacks?
 - E. How many applications for waiver of the fiscal-year limitation on diversity visas under section 422(c) of the Act has the INS received?
 - i. Describe the process that the INS is using to assess the veracity of applications to extend those deadlines.
 - ii. Has the INS identified any fraud in connection with those applications? If so, how many were believed to be fraudulent?
 - F. How many visas that would have expired but for the extension in section 422(d) of the Act has the INS processed?
45. Section 424 of the Act amends the INA to extend the visa categorization of “child” of aliens who are the beneficiaries of applications or petitions filed on or before September 11, 2001, for aliens whose 21st birthday is in September 2001 (90 days), or after September 2001 (45 days).
- A. In how many cases has the special “age-out” provision in section 424 of the Act been utilized since the enactment of that provision?
 - B. How many aliens does the INS believe are in the possible class of aliens who would benefit from the special “age-out” provision in section 424 of the Act?
46. Section 425 of the Act authorizes the Attorney General to provide temporary administrative relief to an alien who, as of September, 10, 2001, was lawfully in the United States and was the spouse, parent, or child of an individual who died or was disabled as a direct result of the September attacks.
- A. Have regulations implementing this provision been implemented?
 - B. How many applications for relief under this provision has the INS received?

- C. How many applications for relief under this provision has the INS granted?
 - D. What sorts of relief is the INS granting under this provision?
47. Section 426 of the Act directs the Attorney General to establish evidentiary guidelines for death, disability, and loss of employment or destruction of business in connection with the provisions of this subtitle.
- A. Has the Attorney General promulgated regulations for use in accordance with section 426 of the Act?
 - B. Does the Attorney General plan to promulgate regulations for implementation of this provision?
 - C. Has the Attorney General established standards under section 426 of the Act? In what form (guidelines, operating instructions, guidance memoranda) are those standards set forth? Please provide a copy of those standards.
48. Section 427 of the Act prohibits benefits to terrorists or their family members. Have any family members of the terrorists responsible for the September terrorist attacks attempted to file for benefits under the Act?
49. Section 806 authorizes the Department of Justice to use its civil asset seizure authority to seize assets of terrorist organizations. Has the Department of Justice used this power? If so, what is the status of the seized assets? Have any seizures under this section been challenged in court? If so, what was the result? What procedures are in place to prevent this power from being abused when, for example, assets allegedly involved in domestic terrorism are seized prior to prosecution of the alleged terrorists?
50. Section 1001 of the Act requires the Department of Justice Inspector General to collect and investigate complaints of civil rights and civil liberties abuses by Department of Justice employees and to publicize his responsibilities. How many such complaints have been received? How many investigations have been initiated? What is the status of those investigations? In what ways has the Inspector General publicized these responsibilities?

Please forward your responses to these questions to the Committee at the address on this letter not later than 5:00 p.m. on Tuesday, July 9, 2002. Please contact Committee Chief Counsel for

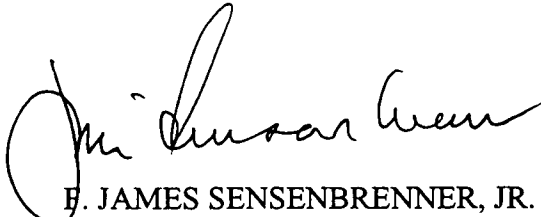
The Honorable John D. Ashcroft

June 13, 2002

Page 16 of 16

Oversight and Investigations Keith Ausbrook at 202-225-6476 or Minority Counsel Sam Garg at 202-225-6906 if you have any questions about this request.

Sincerely,



F. JAMES SENSENBRENNER, JR.
Chairman



JOHN CONYERS, JR.
Ranking Member

FJS/jka